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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael E. Landry and
Larry T. Khoo

Serial No.: 10/698,046

Filed: October 30, 2003

For: SPINAL STABILIZATION SYSTEM
USING FLEXIBLE MEMBERS

Examiner: (not assigned)

Group Art Unit: 3738

Case No.: 5259-10800US01

CERTIFICATE OF MAILING (37 CFR
1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450, on:

Date of Deposit: February 1, 2006

Kathleen Boettcher 2/1/06
Kathleen Boettcher Date

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement for Michael E. Landry and Larry T. Khoo, for SPINAL STABILIZATION SYSTEM USING FLEXIBLE MEMBERS, the specification of which was filed on October 30, 2003, and received Serial No. 10/698,046.

Also enclosed are: Form PTO 1449 (in duplicate) w/eight (8) references
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
M. E. Landry and L. T. Khoo

Beth A. Vrioni
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits under 37 CFR § 1.97(b).

The Applicants submit herewith Form PTO 1449 listing the references cited for this Information Disclosure Statement.

The Applicants respectfully request that the Examiner initial next to each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and that a copy of the initialed Form PTO 1449 be returned to Applicants.

No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

Respectfully submitted,
M. E. Landry and L. T. Khoo

Beth A Vrioni
Beth A. Vrioni
Registration No. 39,869
Attorney for Applicants

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Customer Number: 23492
Telephone: (847) 938-7576
Facsimile: (847) 938-2623

DATE:

February 1, 2006SHEET 1 of 1

Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) 4P11 PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 5259-10800US01	SERIAL NO. 10/698,046
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98 (b))		APPLICANT M. E. Landry & L. T. Khoo	
		FILING DATE October 30, 2003	GROUP 3738

U.S.PATENT DOCUMENTS

EXAM. INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE
	A1	5,647,873	07/15/1997	Errico, et al.			
	A2	5,817,094	10/06/1998	Errico, et al.			
	A3	6,183,472	02/06/2001	Lutz			
	A4	6,331,179	12/18/2001	Freid, et al.			
	A5	6,520,907	02/18/2003	Foley, et al.			
	A6	6,530,929	03/11/2003	Justis, et al.			
	A7	6,599,290	07/29/2003	Bailey, et al.			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM. INITIAL	DOCUMENT NUMBER	PUBLI- CATION DATE	COUNTRY OR PATENT OFFICE	CLASS	TRANSLATION	
					SUB CLASS	YES
B1	298 10 798	28.10.1999	DE			
B2	1 190 678	27.03.2002	EP			
B3	2 729 291	19.07.1996	FR			
B4	2 796 545	26.01.2001	FR			

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

EXAM. INITIAL		
C1		US 2001/0001119, Lombardo, "Surgical Screw System and Related Methods", (May 10, 2001)
C2		"Endoscopic Posterolateral Fusion", Atavi Atraumatic Spine Fusion System, Endius, (2001), 18 pgs.
C3		"CD Horizon Sextant Rod Insertion System Surgical Technique", Medtronic Sofamor Danek, as described by Kevin T. Foley, M.D., (2002), 30 pgs.
C4		"Versalok™ Low Back Fixation System", Wright Medical Technology., (1966), 4 pgs.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)